4

STANDING COMMITTEE ON FOOD, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION (2014-15)

SIXTEENTH LOK SABHA

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (DEPARTMENT OF CONSUMER AFFAIRS)

DEMANDS FOR GRANTS (2015-16)

FOURTH REPORT

LOK SABHA SECRETARIAT
NEW DELHI

April, 2015/ Chaitra, 1937 (Saka)

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(SIXTEENTH LOK SABHA)

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DEMANDS FOR GRANTS (2015-16)

Presented to Lok Sabha on 27.04.2015

Laid in Rajya Sabha on 27.04.2015

LOK SABHA SECRETARIAT
NEW DELHI

April, 2015/ Chaitra, 1937 (Saka)

CONTENTS

PAGE

REPORT

Composition of the Committee (iii)

Introduction (v)

PART –I

Narration Analysis

I. Role of the Department 1

II. Demands for Grants (2015-16) of the Department of Consumer Affairs 2

III. Twelfth Plan Period (2012-17) 3

IV. Annual Plans 5

V. Scheme wise Analysis 13

(i) Consumer Awareness (Publicity) 13
(ii) Consumer Protection 17

A. Computerisation and Computer Networking of Consumer Fora in the country (CONFONET) 18
B. Scheme of 'Strengthening Consumer Fora' (SCF) Phase II 19
C. State Consumer Helpline 21

(iii) Weights and Measures 23

VI. Bureau of Indian Standards (BIS) 24

(i) Setting up of Gold Hallmarking Assaying centres in India 25
(ii) Standardization and Quality Control 25

VII National Test House 27
VIII Non-Plan schemes (Projects under Consumer Welfare Fund) 28

PART II - Observations/Recommendations 31

Annexure 39

I. State-wise/UT-wise unspent balances under Strengthening of Consumer Fora 39
II. State-wise/UT-wise unspent balances under Consumer Helpline Scheme 40

III. State-wise/UT-wise unspent balances under Consumer Awareness 41

IV. State-wise/UT-wise unspent balances under Weights & Measures 42

V. BE, RE and Actual Expenditure under Plan Scheme during 2013-14, 2014-15 and BE 2015-16 43

VI. Statement showing complaints regarding illegal use of BIS Certification on packaged water and action taken thereon in different States 44

VII. Minutes of the sitting of the Committee held on 7 April, 2015 44

VIII. Minutes of the sitting of the Committee held on 17 April, 2015 50

Composition of the Standing Committee on Food, Consumer Affairs and Public Distribution (2014-15).

Shri J.C. Divakar Reddy, Chairperson

Lok Sabha

2. Shri Anto Antony
3. Shri Babu Lal Choudhary
4. Shri Sanjay Jadhav (Bandu) Haribhau
5. Shri Dinesh Kashyap
6. Shri Dharmendra Kumar
7. Shri Ravinder Kushawaha
8. Smt. Sakuntala Laguri
9. Dr. Sakshi Maharaj
10. Shri R. K. Bharathi Mohan
11. Shri Sunil Kumar Mondal
12. Shri Kamlesh Paswan
13. Shri Ram Chander Paswan
14. Shri C.S. Putta Raju
15. Smt. Priyanka Singh Rawat
16. Shri P.V. Midhun Reddy
17. Shri Bhola Singh
18. Shri Brij Bhusan Sharan Singh
19. Shri Shibu Soren#
20. Shri Prabhubhai Nagarbhai Vasava
21. Shri Nandi Yellaiah

Rajya Sabha

22. Shri Ritabrata Banerjee
23. Shri Shadi Lal Batra
24. Shri Pankaj Bora
25. Shri Mithun Chakraborty
26. Dr. Bhushan Lal Jangde
27. Dr. Prabhakar Kore**
28. Ms. Rekha
29. Dr. K. Keshava Rao*
30. Shri Dhiraj Prasad Sahu
31. Shri Veer Singh**

Secretariat

1.	Shri P.K. Misra	-	Additional Secretary
2.	Shri A.K. Shah	-	Director
3.	Shri Lovekesh Kumar Sharma	-	Additional Director

Nominated to the Committee on Food, Consumer Affairs and Public Distribution (2014-15) w.e.f. 07.10.2014

* Change of nomination from the Standing Committee on Water Resources to the Standing Committee on Food, Consumer Affairs and Public Distribution (2014-15) w.e.f. 08.10.2014.

** Sarv Shri Amar Singh and Veer Singh, MP (RS) ceased to exist as members of the Committee on Food, Consumer Affairs and Public Distribution (2014-15) consequent upon their retirement from the membership of Rajya Sabha w.e.f. 25.11.2014.

** Dr. Prabhakar Kore , MP (RS) nominated to the Committee on Food, Consumer Affairs and Public Distribution (2014-15) w.e.f. 19.12.2014.

**Shri Veer Singh, MP(RS) re-nominated to the Committee on Food, Consumer Affairs and Public Distribution (2014-15) w.e.f. 08.01.2015.

INTRODUCTION

I, the Chairperson of the Standing Committee on Food, Consumer Affairs and Public Distribution (2014-15) having been authorized by the Committee, present on their behalf the Fourth Report on Demands for Grants (2015-16) relating to the Department of Consumer Affairs (Ministry of Consumer Affairs, Food and Public Distribution).

2. The Committee examined/scrutinized the detailed Demands for Grants (2015-16) of the Ministry, which were laid on the Table of the House on 20 March, 2015. The Committee took evidence of the representatives of Department of Consumer Affairs (Ministry of Consumer Affairs, Food and Public Distribution) on 7 April, 2015.

3. The Committee wish to express their thanks to the officers of the Department of Consumer Affairs (Ministry of Consumer Affairs, Food and Public Distribution) for appearing before the Committee and for furnishing the material as desired by the Committee in connection with the examination of the subject.

4. The Committee would also like to place on record their deep sense of appreciation of the invaluable assistance rendered by the officials/staff of Lok Sabha Secretariat attached to the Committee.

5. The Draft Report was considered and adopted by the Committee at their sitting held on 17 April, 2015.

6. For facility of reference and convenience the observations/recommendations of the Committee have been printed in thick type in Part-II of the Report.

NEW DELHI
17 April, 2015
27 Chaitra, Saka 1937

J. C. DIVAKAR REDDY,
Chairperson,
Standing Committee on Food,
Consumer Affairs and Public Distribution

REPORT

Part – I Narration Analysis

I. Role of the Department

1.1 The Department of Consumer Affairs (DCA) was constituted as a separate Department in June 1997 under the Ministry of Consumer Affairs, Food & Public Distribution to act as a nodal Department to focus exclusively on protecting the rights of consumers including redressal of consumer grievances as well as to promote standards of goods and services, standards in weight and measures, regulation of packaged commodities, etc. The Department has been entrusted with the following work:

(i) Internal Trade
(ii) The Essential Commodities Act, 1955
(iii) Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1980
(iv) To regulate weighing and measuring instruments used in trade and transaction, industrial production and for protection of human safety including regulation of packaged commodities.
(v) Training in Legal Metrology.
(vi) The Emblems and Names (Prevention of Improper Use) Act, 1952
(vii) The Standards of Weights and Measures Act, 1976 and the Standards of Weights and Measures (Enforcement) Act, 1985. To regulate weight and measures and commodities in prepackaged form.
(viii) The Bureau of Indian Standards Act, 1986.
(ix) Consumer Cooperatives
(x) Monitoring of prices and availability of essential commodities.
(xi) National Test House.
(xii) Consumer Protection Act, 1986.

1.2 In carrying out its mandate, the Department is assisted by the following organizations:

(i) Bureau of Indian Standards (BIS).
(ii) National Test House (NTH).
(iii) National Consumer Disputes Redressal Commission (NCDRC).
(iv) National Cooperative Consumer's Federation (NCCF).
(v) Indian Institute of Legal Metrology (IILM).
(vi) Regional Reference Standards Laboratories (RRSLS).

II. Demands for Grants (2015-16) of the Department of Consumer Affairs – An overview

1.3 The Demands for Grants (2015-16) of the Department of Consumer Affairs are contained in Demands No. 16 that were laid on the Table of Lok Sabha on 20 March, 2015 make a gross provision of Rs. 276.77 crore with Plan component of Rs. 180 crore and Non-Plan component of Rs. 96.77 crore and after recovery of Rs.15 crore on account of Consumer Welfare Fund, the net provision is Rs. 261.77 crore.

1.4 The examination and analysis of Demands for Grants (2015-16) is given in succeeding paragraphs.

Demands for Grants BE (2015-16) - At a Glance

Sl. No.	Name of Scheme	Amount (Rs. in Crores)
	Plan	
1.	Consumer Awareness	75.00
2.	Consumer Protection Unit	42.0 0
3.	Weights and Measures	33.00
4.	Setting up of Gold Hallmarking/ Standardization Quality Control (BIS)	10.00
5.	National Test House (NTH)	17.00
6.	Consumer Helpline	3.00
	Sub Total	**180.00**
	Non-Plan	
1.	Sectt. Eco services	23.20
2.	National Test House (NTH)	30.32
3.	Subsidies for pulses	10.00
4.	Consumer Protection	12.07
5.	Regulation of Weights and Measures	5.93
6.	International Cooperation	0.25
7.	Projects under Consumer Welfare Fund	15.00
	SubTotal	**96.77**
	Deduct recoveries	(-)15.00
	Net Total	**81.77**
	Grand Total (Plan + Non-plan) (180.00 + 81.77)	**261.77**

1.5 The Department of Consumer Affairs (Outcome Budget (2015-16) has been implementing the above schemes for four broad areas of:-

(a) Consumer Awareness
(b) Consumer Protection
(c) Strengthening infrastructure for redressal of consumer grievances
(d) Providing computer hardware to Consumer Fora and networking thereof.

1.6 The examination of Demands for Grants (2014-15) of the Department of Consumer Affairs covers Twelfth Plan (2012-15) allocation vis-a-vis utilisation during Annual Plans 2013-14 and 2014-15 followed by scheme wise analysis during the last two years i.e. 2013-14 and 2014-15 and BE 2015-16 and the same is discussed in succeeding paragraphs.

III. Twelfth Plan (2012-17)

1.7 The Department of Consumer Affairs has furnished the Scheme-wise proposed vis-a-vis, Revised proposal during Twelfth Plan (2012-17) as under:-

(Rs. in crores)

Sl. No.	Scheme	Proposed to Planning Commission for 12th Five Year Plan	Revised proposal
1.	Publicity	665.00	409.29
2.	Consumer Protection Unit	413.15	216.00
3.	Forward Market Commission	*381.91	*191.00
4.	National Test House	163.03	88.90
5.	Consumer Welfare Fund	27.34	18.00
6.	Legal Metrology	505.48	300.00
7.	Bureau of Indian Standards	236.00	26.00
8.	Economic Intelligence and Research	121.65	10.81
	Total	**2513.56 -381.91 = 2131.65**	**1260.00 (-)191.00 = 1069.00**

* Transferred to Ministry of Finance

1.8 During the course of examination the Committee pointed out that funds to the extent of as high as fifty percent have been reduced by the Planning Commission now NITI Aayog. The Committee also enquired whether this huge reduction will not severely affect consumer related programmes during fist two years of the current plan, the Department of Consumer Affairs in a written note clarified:

	Name of scheme	Impact of reduction of amount projected for 12th Plan by Planning Commission
(i)	Consumer Awareness	Reduction in Plan funds will definitely have an effect on the awareness campaigns as number of campaigns in various mediums is directly related to the funds available.
(ii)	Bureau of Indian Standards (BIS)	Out of the four schemes proposed for BIS in the Twelfth Plan, only two scheme namely (i) Setting up of Gold Hallmarking and Assaying Centres in India with central assistance (outlay of Rs. 3 cr revised to Rs.9.7 cr.) and (ii) National System of Standardization (Outlay of Rs 19.345 cr.) were finally approved.
(iii)	Weights & Measures	No sir, to reduce the impact of reduction of funds under the Legal Metrology schemes, it was decided to fulfil the immediate and more effective/ important requirements of the schemes/ State Governments.
(iv)	National Test House (NTH)	Late approval of the 12th Five Year Plan has indeed deterred the initiation of the execution of the planned projects of NTH , however , NTH geared up from the second year and tried to maintain Road Map assigned in the 12th Five Year Plan. NTH has conceived some major Infrastructural Projects during the 12thPaln. After receiving estimates from the respective CPWD Authorities , it has been observed that , on an average , nearly 30% increase have occurred than the proposed amount. This additional fund would be required under Capital Head in the current Plan period for completion of these projects. Moreover , NTH has been directed by the department to take some High-Tech Projects like Impulse Voltage & some Consumer Centric programmes , like SOLAR , LED & Food Testing. Machineries & Equipment play a vital role in all these projects. If additional funds are not provided there might be difficulties in completion of these projects.

IV Annual Plans

Outlays vis-a-vis Expenditure

1.9 Outlay vis-a-vis utilization of funds as per Outcome Budget (2015-16) during the last three years viz. 2012-13, 2013-14 and 2014-15 is as under:-

(Rs. in crores)

Year	BE	RE	Actuals
2012-13 (First Year)	241.00	150.00	126.40
2013-14 (Second Year)	241.00	192.00	180.09
2014-15 (Third Year)	220.00	140.00	137.90 (Upto 31.03.2015)
2015-16 (Fourth Year)	180.00		

1.10 During the course of examination, the Committee asked the reasons for heavy curtailment of budgeted allocations at Revised Estimate level to the extent of Rs. 91 crore in 2013-14, Rs. 49 crore in 2014-15 and as high as Rs. 80 crore in 2015-16 over previous years, the Department in their written replies stated as under:

	Name of Schemes	Reasons for reduction of funds at RE level
(i)	Consumer Protection Unit (CPU)	There has been reduction in the Budget at RE stage as budget provisions under the schemes were not utilized up to the level as it should have been, mainly due to incomplete proposals, non-receipt of utilization certificates from the State Governments
(ii)	Consumer Awareness	For the year 2014-15, expenditure under the consumer awareness scheme is likely to be Rs.76 Cr. against the budget estimate of Rs.75 Cr. (RE: Rs.76.47 Cr.)
(iii)	Price Monitoring Cell (PMC)	Following reduction in the overall RE allocation for the financial year 2014-15 for the Department, the outlay for the Plan Scheme for Strengthening of PMC was also reduced from the BE of Rs.2.00 crores to RE of Rs.1.04 crores.
(iv)	Weights & Measures	Due to austerity measures and less expenditure the budget allocations have been curtailed.

(v) National Test House (NTH)

12th Plan was approved in May, 2013 and as a result, NTH could not initiate it's programme from the beginning of the financial year. By the time, stipulation of R.E. Proposal arrived, utilisation of Plan Fund by NTH was not much impressive. However, at the end of 2013-14, NTH was able to utilise 99% of the R.E.

During 2014-15, B.E. of NTH was reduced from 21.70 crore to 21.0 crore, due to financial cut by Govt. of India. The functioning of NTH depends on number of Responsibility Centres and some of which are Govt. bodies on which NTH has little control. As a result, Middle of any financial year does not reflect much of the utilisation. It may be one of the reasons for which, R.E. of NTH was reduced. However, till 31.03.2015, ie Fy,2014-15 , NTH could utilise more than 90% of the Plan Fund.

Scheme-wise outlays vis-a-vis utilisation

1.11 Scheme-wise outlays vis-a-vis utilization from 2012-13 onwards (as per Outcome Budget) has been as under:-

(Rs. in crores)

	2012-13			2013-14			2014-15			2015-16
	BE	**RE**	**Actuals**	**BE**	**RE**	**Actuals**	**BE**	**RE**	**Actuals** (upto 31.03.2015)	**BE**
Consumer Awareness	89.00	58.00	66.46	75.00	71.00	68.08	75.00	76.47	76.43	75.00
Consumer Protection	49.00	13.75	17.06	61.77	42.94	42.67	55.00	18.76	*16.23*	42.00
Weights & Measures	58.00	53.76	22.35	64.00	54.28	49.12	61.00	20.07	21.15	33.00
National Test House	18.00	13.00	9.44	18.75	11.38	10.47	21.00	19.70	16.97	17.00
Strengthening FMC	15.00	8.00	8.02	16.20	11.80	9.15	Transferred to Ministry of Finance, D/o Expenditure during 2013-14			
Setting up of Gold Hallmarking& Assaying Centre / Standardization & Quality Control	10.00	2.00	1.80	5.28	0.60	0.60	5.00	5.00	5.00	10.00
Consumer Helpline	2.00	1.49	1.27	3.00	1.50	1.50	3.00	2.12	2.12	3.00
Total	**241.00**	**150.00**	**126.40**	**241.00**	**192.00**	**180.09**	**220.00**	**140.00**	***137.90***	**180.00**

The details are at Annexure V.

1.12 The Committee during the course of examination pointed out that major chunk of funds of Department of Consumer Affairs is going broadly to Consumer Awareness, Consumer Protection, Weight and Measures and National Test House (NTH). Asked the reasons for heavy reduction of funds under each of the four schemes referred to above during the last three years, the Department in their written replies stated as under:

Name of Schemes	**Reasons for reduction of funds**
(i) Consumer Protection Unit (CPU)	Under-utilization of funds due to incomplete proposals received from the States and also pending UCs, is the main reason for reduction of funds.
(ii) Consumer Awareness	Under the Consumer Awareness Scheme, the expenditure has been consistently more than 90% of the BE. Under this Scheme, the States are being given less than 10% of the overall budget allocation, therefore, pending UCs from States does not have a great effect on the overall utilization of budget allocation.
(iii) Weights & Measures	The reasons for heavy losses of funds in the weights and measures schemes are as follows: Sir, the schemes of weights and measures are State based Schemes, under which construction of Laboratory Building is a time consuming process due to many procedural reasons. Further all the procurement of equipments is being done under the scheme either through DGS&D or through India Government Mint, Mumbai. DGS&D takes lot of time for finalisation of tenders as per their procedure, due to which funds could not be utilised. However steps are taken for the better implementation of the weights and measures scheme through review meetings with senior officers of the Department, meetings with State Government officers and by requesting the State Governments for speedy disposal of the targets. Many meetings were held with DGS&D officers for speedy procurement of equipments. For the improvement in the implementation of the schemes State Governments are requested to provide land for the construction of Laboratory Buildings for their own use and for the establishment of new RRSLs at Nagpur and Varanasi. Land at Varanasi for establishment of new RRSL has been finalised.

1.13 In this connection during course of evidence of the representatives of Department of Consumer Affairs, the Committee pointed out that allthough allocation-wise the Department of Consumer Affairs is small, yet its objectives are laudable and for a large country like India funds be suitably enhanced to Rs.1000 crore, the Secretary (Department of Consumer Affairs) in this connection submitted before the Committee:-

> "In the year that has just been concluded, 2014-15, we began the year with BE of Rs. 220 crore. At the RE stage, it was reduced to Rs. 180 crore. Small Department where on one hand less allocation of budget is a problem, reducing as high as Rs. 40 crore has increased our difficulties manifold. Against the RE of Rs. 140 crore, we have spent almost about Rs. 138 crore. There is a shortfall of Rs. 2 crore. Even that will be spent as we expect that there are some expenses, which have been incurred, which would be adjusted in April. We would like to place before the hon. Committee our position in 2014-15 of having virtually spent our entire RE amount, admitting though that this was a reduced amount from the BE.
>
> In the current year 2015-2016, our Budget Estimate itself is only Rs. 180 crore. So, against Rs. 220 crore the previous year, our BE has come down to Rs. 180 crore, which again the hon. Committee is aware is a small amount. Out of Rs. 180 crore, Rs. 120 crore has been earmarked for consumer protection activities, and Rs. 60 crore for quality assurance infrastructure."

1.14 The Secretary, Department of Consumer Affairs further apprehended:

> "We have to admit that the reduced Budget outlay and the likelihood that this will come down further at the RE stage, we must remember that this really places very severe constraints on what we are able to do."

Unspent balances

1.15 During the course of examination the Committee pointed out that the Outcome Budget (2015-16) of the Department of Consumer Affairs indicated about outstanding utilization certificates /unspent balances (as on 31.03.2014) in respect of grants released upto 31.03.2014 with the following details:-

(Rs. in crore)

Sl. No.	Name of Division/ Scheme	01.04.12		01.04.13		01.04.14	
		Unspent Balance	Pending UCs	Unspent Balance	Pending UCs	Unspent Balance	Pending UCs
1.	Consumer Protection Unit	35.32	28.55	30.83	23.62	34.14	19.82
2.	Weights & Measures	34.50	34.50	42.56	42.56	57.42	43.96
3.	Consumer Welfare Fund	14.60	14.60	13.53	13.53	20.16	11.15
4.	Publicity	9.15	6.71	10.86	7.94	12.26	5.55
5,.	BIS	0.18	0.00	1.39	0.00	0.08	0.00
	Total	**93.75**	**84.36**	**99.17**	**87.65**	**124.06**	**80.48**

1.16 Asked about the reasons as to why huge unspent balances/ pending UCs are figuring in during the last three years in respect of all these important schemes largely related to common man barring BIS, the Department in their written replies stated as under:

Name of Schemes	Reasons for Unspent balances/pending UCs
Consumer Protection Unit (CPU)	Despite reminders, UCs are not forthcoming from the State Governments.
Weights & Measures	Yes Sir, the funds could not be utilised as per expectations due to following reasons: Sir, the schemes of weights and measures are State based Schemes, under which construction of Laboratory Building is a time consuming process due to many procedural reasons. Further all the procurement of equipments is being done under the scheme either through DGS&D or through India Government Mint, Mumbai. DGS&D takes lot of time for finalisation of tenders as per their procedure, due to which funds could not be utilised. However steps are taken for the better implementation of the weights and measures scheme through review meetings with senior officers of the Department, meetings with State Government officers and by requesting the State Governments for speedy disposal of the targets. Many meetings were held with DGS&D officers for speedy procurement of equipments. For the improvement in the implementation of the schemes State Governments are requested to provide land for the construction of Laboratory Buildings for their own use and for the establishment of new RRSLs at Nagpur and Varanasi.

1.17 The Committee also wanted to know the justification of proposing Rs. 296.77 crore for 2015-16 particularly when you have Rs. 124.06 as on 01.04.2014 as unspent and pending utilization certificates of as high as Rs. 80.46 crores, the Department of Consumer Affairs in written note informed:

Name of Schemes	Justification
Consumer Protection Unit (CPU)	It is planned to pursue with all the State Governments the cases of grant release under the scheme of strengthening Consumer For a and State Helpline.
Weights & Measures	Sir the proposal for more funds was submitted considering that the Grant in Aid will be released to those States/ UTs which have utilised the funds given to them earlier or to the new States to which funds were not released yet. Also it was anticipated that DGS&D will finalise some tenders during this financial year.

1.18 The Committee also enquired about the State-wise details of unspent balances/pending UCs during the last three years, the Department of Consumer Affairs in a written note furnished the information shown at Annexure I, II, III and IV. The scheme wise unspent balances/pending UCs in major States are as under:

Name of scheme

(Rupees in lakhs)

Sl. No.	State/UTs	2012-13	2013-14	2014-15	Total Unspent Balance
Consumer Protection Unit (CPU) **(i) Strengthening Consumer Fora**					
(i)	West Bengal		45.00	507.65	**552.65**
(ii)	Bihar		502.78		**504.22**
(iii)	Uttar Pradesh	188.75			**376.89**
(iv)	Arunachal Pradesh		335.00		**335.00**
(v)	Andhra Pradesh				**311.14**
(vi)	Tamil Nadu	0.00	300.00		**300.00**
(vii)	Gujarat				**252.83**
(viii)	Tripura	163.80			**210.03**
(ix)	Chhattisgarh		200.00		**200.00**
(x)	Nagaland		200.00		**200.00**

Sl. No.	State/UT	2012-13	2013-14	2014-15	Unsp. Bal.
(ii) Consumer Helpline					
(i)	Andhra Pradesh				27.25
(ii)	Arunachal Pradesh				23.96
(iii)	Assam				24.10
(iv)	Bihar	11.36	27.13		27.13
(v)	Punjab				27.60
(vi)	Tamil Nadu	22.71		27.24	27.24
(vii)	Uttar Pradesh				27.60
(viii)	Maharashtra	20.53	23.50	29.73	23.50
(ix)	Haryana	27.60	13.62	27.24	27.24
(x)	West Bengal				24.10

II. Consumer Awareness					
(i)	Uttar Pradesh		91.00	--	91.00
(ii)	Madhya Pradesh		50.00	--	50.00
(iii)	Gujarat		50.00	--	50.00

III. Weights & Measures					
(i)	Uttar Pradesh	525	--	--	962
(ii)	Karnataka	105	--	445	562
(iii)	Telangana	--	--	*575*	575
(iv)	Tamil Nadu	--	325	--	392
(v)	Rajasthan	100	--	--	258

1.19 During the course of evidence of the representatives of the Department of Consumer Affairs also the issue of unspent balances came up before the Committee. The Committee enquired about the reasons for huge pendency under different schemes a representative of Department of Consumer Affairs submitted as under:

> "Once the money reaches the Food Secretary of the concerned State, he distributes it among the districts. They are supposed to utilize it and give Utilization Certificate. Since the Utilization Certificates have not been given, the amount is shown in our record as unspent. We are collecting the figures and we are getting a really poor response in spending of money by the State Governments."

1.20 At this the Committee further enquired when utilization Certificate are not received why funds are being released, the Secretary Department of Consumer Affairs clarified:

> "There are standing instructions given in November 2012 by the Department of Expenditure that the releases should simply not be made if there are pending Utilization Certificates. However, the difficulty is there is also pressure on the Department to spend. If I do not spend, I will be asked questions and if there are pending amounts as you mentioned, it is also not a very good sign. We need to balance this."

1.21 A representative of Department of Consumer Affairs added:

> "We are sending our Deputy Secretaries to collect them from States."

1.22 Asked whether a special drive needs to be done by Department of Consumer Affairs for liquidation of unspent balances and pending UCs of above magnitude, the Department in their written replies stated as under:

Name of the Scheme	Action Taken
(i) Consumer Protection Unit (CPU)	Regional meetings have been held in Kolkata and Bengaluru at the level of Secretary/Additional Secretary with the Secretaries of the State Governments of Eastern and Southern Region to review the progress of the schemes and to discuss the problems being faced by them in implementation of the schemes as also for liquidation of unspent balances and pending UCs. A task force has been constituted in January, 2015 to monitor pending UCs.
(ii) Weights & Measures	Steps are taken for the better implementation of the weights and measures scheme through review meetings with senior officers of the Department, meetings with State Government officers and by requesting the State Governments for speedy disposal of the targets. Many meetings were held with DGS&D officers for speedy procurement of equipments. For the improvement in the implementation of the schemes State Governments are requested to provide land for the construction of Laboratory Buildings for their own use and for the establishment of new RRSLs at Nagpur and Varanasi. DGS&D is requested to finalise the tenders at the earliest and CPWD is requested to utilise the funds earmarked for their use for the renovation,construction and annual maintenance."

1.23 The Standing Committee while examining the Demands for Grants (2014-15) also came across large amount of unspent balances in respect of Consumer Awareness/ Consumer Protection Act in different States and the Committee had voiced concern in this regard. The Committee had, inter-alia, recommended to set up a task force for expeditious re-examination of the issue and progress made thereon to be apprised to the Committee. The Department of Consumer Affairs submitted before the Committee about constitution of task force for visiting different states inspecting physical verification and for monitoring of schemes asking for pending UCs. The Department had also stated that Secretaries of State Governments have been requested to review the progress. On this issue with regard to progress made under Consumer Awareness and Weights & Measures, the Department of Consumer Affairs in written note stated as under:

(i) Consumer Awareness

Details of UCs received from States/ UTs during the year 2014-15 are as under:

(Rs. in crore)

S. No.	Name of State/UT	UC received , amount
1	Nagaland	0.42
2.	Tamil Nadu	0.48
3.	Haryana	0.01
4.	Tripura	0.20
5.	Sikkim	0.6
6	West Bengal	0.48
7	Gujarat	0.52
8	Meghalaya	0.14
9	Madhya Pradesh	0.30

(ii) Weights & Measures

"Sir after the formation of the task force the State Governments are regularly approached and requested to utilise the funds at the earliest and submit the UCs. However it will take some time to get the results."

V. SCHEME - WISE ANALYSIS

(i) <u>Consumer Awareness (Publicity)</u>

1.24 The funds and their utilization under the Scheme Consumer Awareness during the years 2012-13 , 2013-14, 2014-15 and 2015-16 is as under:

Year	BE	RE	Actual Expenditure
2012-13	89.00	58.00	66.46
2013-14	75.00	71.00	68.08
2014-15	75.00	76.47	62.90 *76.43* *(upto 31.03.2015)*
2015-16	75.00		

1.25 During the course of examination the Committee pointed out under this scheme, electronic and outdoor awareness campaigns are released through DAVP, All India Radio, Doordarshan and Lok Sabha Television. The Department of Consumer Affairs has stated that it has issued campaigns to cover issues on real estate, education, banking, pharmaceuticals, consumer rights, hallmarking, misleading advertisements,

wastage of food etc. Under this Scheme the Department also gives funds to States for consumer awareness programmes based on local themes. These funds can be used for advertisements in print and electronic media, local exhibitions, street plays, cultural functions etc. to educate the citizens about consumer rights. Educating more than 120 crore people of various categories of population, particularly those in rural areas on various subject matters of consumer interests being dealt by different Ministries/ Department is a Herculean task. It can only be undertaken as a sustained national programme with adequate resource availability.

1.26 Asked how the Department is going to educate the people of more than 120 crores with funds as low as 75 crores annually, the Department in their written replies stated as under:

> "The Department proposes to use new mediums such as digital cinema, popular websites, LCD screens at various public places, audio announcement systems at bus stands, bulk SMSs, cable TV channels etc. in addition to traditional mediums such as newspapers, magazines, TV, Radio etc. for the purpose of educating the consumers."

1.27 Asked whether a meagre increase of Rs. 7 crore from 2013-14 to 2015-16 is sufficient for consumer awareness. The Committee also pointed out that last year while finding the inadequacy of funds for consumer awareness in the country in the rural areas, the Committee had recommended for a national programme with sufficient funds. Asked about whether any spadework done in this regard, the Department of Consumer Affairs in a written note stated:

> **"**Reduction in Plan funds will definitely have an effect on the awareness campaign as number of campaigns in various mediums is directly related to the funds available."

1.28 During the course of evidence of the representatives of Department of Consumer Affairs, the Secretary, Department of Consumer Affairs also submitted:

> "Yes, Sir. As you will see, from Rs.180 crore Rs.75 crore is for advocacy which is basically advertisements and such things. I think the point must be made that since the money is limited and it is also the bulk of our money, it must be spent wisely in areas where it is most needed. Several Members have commented that there is no awareness in the rural areas. So the point I think that needs to be made is that funds which are available should be used so that the target population is the population that is made aware. For instance, it is quite easy for us to do hoardings and advertisements in city areas and it is much more difficult to do it in the rural areas. But we need to do that if we have to *convey* the message. So I think one message that needs to be conveyed is that we need to spend more money on advocacy, advertisement programmes in the rural areas."

1.29 The Committee further enquired as to how Department of Consumer Affairs would ensure that the intended consumer awareness reaches to the common man, the Department of Consumer Affairs in a written note clarified:

> "To create awareness about the consumer rights and the Consumer Protection Act amongst the masses specially in the rural and remote areas , the department has released following campaigns.
>
> Print: - Three advertisements exclusively about Consumer Rights/Consumer Protection Act were released in about 1200 newspapers in different languages.
>
> TV:- Video Spots on Consumer Right/Consumer Protection Act are telecasted on Doordarshan, LS TV and Private TV Channels on All India basis in different languages. Besides that 11 episodes of 30 minutes based on decisions by consumer courts were telecast on Doordarshan which has wide reach in rural and remote areas.
>
> Radio:- Audio Spots on Consumer Right/Consumer Protection Act were broadcast on All India Radio, Private F.M Channels and Community Radio on All India basis in different languages."

1.30 In this connection the Committee pointed out that Department of Consumer Affairs has opened a website for creating awareness where the response is nil. At this Secretary, Department of Consumer Affairs clarified :-

> "Very recently, on 18th of March, the hon. Minister launched our portal for complaints regarding misleading advertisements. Since 18th March, quite a number of people have been sending complaints."

1.31 Clarifying the position further a representative of Department of Consumer Affairs submitted :-

> "Sir, I will tell you some factual position that a portal named GAMA that has been launched on 18th March, 2015 has a very important objective and that is if some misleading advertisement and people wants to complaint against that through this portal they can do it. From 18th March to 6th April, 2015 in a matter of 15 days approximately 40 complaints we have received."

1.32 The witnesses further submitted :-

> "Sir, it is about misleading advertisements for the problems of general consumers and their complaints, there are various methods, one of these is National Helpline we are running which is receiving around 3500 complaints every month. Besides, in 32 states for State Helpline we

have given support and in 19 States State Helplines are being run on local language or State language. There also complaints are received. Besides this we have Consumer Grievance Cell where on an average, every month 1500 complaints are coming. In addition to this, in every District Court, at the level of State Consumer Courts and in NCDRC a lot of complaints are filed for dispute resolution. It will not be fair that if we say that for common consumer, there is no facility for lodging complaint."

1.33 The witnesses however further admitted :-

"However, problem is that particularly in rural areas and remote areas (people) are facing a lot of difficulty. That work we have to do. In that, one is through our consumer publicity. We are focussing in small and rural areas and second as Secretary Sir has said that recently our Hon'ble Minister has launched Suvidha Kendras in five places. If these Suvidha Kendras succeed then we will be trying to make it as a Plan scheme."

1.34 The Committee also wanted to know the reasons for not making consumer awareness as a National Programme and a National Campaign be launched as people are not at all aware about it and as this is State subject, State Governments' cooperation is needed. The Committee also pointed out that since Department of Consumer Affairs has opened website and received 40 complaints, asked whether at least 10% cases can be taken up immediately and judgement can be given on these complaints, particularly when Department can't compel the judges to give judgements or pass order, any orders etc. The Secretary, Department of Consumer Affairs submitted :-

"You have raised a very important point. Since we are speaking frankly and the Committee has asked for our views, the question comes down to one of resources. There are many problems in our State Commissions and District Courts. But we must also understand that these are starved of funds."

1.35 On the issue of imparting immediate justice to the needy, the Secretary, Department of Consumer Affairs submitted :-

"Instructions of this sort were given at the meeting of 18th March. We will reiterate through formal instructions, through the State Governments to State Commissions and the District Fora that a certain minimum level of disposal must be met and that we must report on that. We will report compliance on this."

(ii) Consumer Protection

1.36 The Department has informed that the Consumer Protection Unit (CPU) is responsible for administering Consumer Protection Act, 1986 (CPA) that seeks to ensure that the act remains vibrant and meets the objectives of the Act. The Department has also stated that the CP Act has been amended from time to time and since the Consumer Protection (Amendment) Bill 2011 has been lapsed due to dissolution of 15th Lok Sabha, de-novo exercise for making further amendments to the Act has been started again to widen the various provisions of the Act. It is the responsibility of the State Governments/UTs to establish and run the District Fora and State Commissions in respective States and the Department of Consumer Affairs has been extending financial assistance to States/UTs to strengthen the infrastructure of Consumer Fora, their computerization, networking etc. for the quick disposal of cases. The following schemes are being run by CPU which includes Strengthening Price Monitoring Cell, a subcomponent of scheme for consumer protection:-

(i) Computerisation and Computer Networking of Consumer Fora in the country (CONFONET)
(ii) Scheme of 'Strengthening Consumer Fora' (SCF) Phase - II
(iii) Consumer Protection Cell
(iv) State Consumer Helpline

1.37 The actuals (2013-14) BE, RE (2014-15) and BE-2015-16 for consumer protection are as under:-

Rs. in Crores

Name of Scheme	**(2013-14)**		**(2014-15)**						**(2015-16)**	
	Actual		**BE**		**RE**		**AE (upto Dec.2014)**		**BE**	
	Plan	**Non-Plan**	**Plan**	**Non-Plan**	**Plan**	**Non-Plan**	**Plan**	**Non-Plan**	**Plan**	**Non-Plan**
Consumer Protection	*42.67*	8.61	55.00	10.68	*18.76*	11.14	15.88	8.61	42.00	12.07

1.38 Asked about the reasons for steep reduction in Plan funds from BE to RE during 2014-15, the Department in their written replies stated as under:

> "Release of grant under the scheme of Strengthening Consumer Fora and State Help line is dependent upon receiving of proposals from the State Governments. Under the scheme of Strengthening Consumer Fora, only one proposal was received from West Bengal and grant was released. No other States furnished any complete proposals. The RE was fixed at the level of actual expenditure."

1.39 During the course of examination the Committee also enquired about the scheme wise details of actuals (2013-14) BE and RE (2014-15), actuals upto 31 March, 2015 and BE 2015-16 under (i) Computerisation and Computer Networking of Consumer

Fora in the country (CONFONET) (ii) Scheme of 'Strengthening Consumer Fora' (SCF) Phase - II (iii) Consumer Protection Cell & (iv) State Consumer Helpline, the Department in their written replies furnished the following details:

(in crore)

	2013-14			**2014-15**			**2015-16**
	BE	**RE**	**Actuals**	**BE**	**RE**	**Actuals**	**BE**
Computerisation and Computer Networking of Consumer Fora in the country (CONFONET)	**23.85**		**22**	**25**	**10.12**	**10.12**	**13.50**
Scheme of 'Strengthening Consumer Fora' (SCF) Phase - II	**22.22**		**19.043**	**27.60**	**5.08**	**5.08**	**24**
Consumer Protection Cell	**0.40**		**0.1306**	**0.40**	**0.40**	**0.27**	**1**
State Consumer Helpline	**3**	**1.50**	**1.50**	**3**	**2.12**	**2.12**	**3**

A. CONFONET

1.40 During the course of examination the Committee, The Department of Consumer Affairs has furnished the following details regarding CONFONET:-

(a) <u>Coverage/Hardware supplied/Manpower provided</u>

(i)	Locations being covered	643
(ii)	New set of hardware supplied	550
(iii)	Manpower supplied apart from NCDRC	509

(b) Progress under on online access

(i)	Locations provided with on line access	521
(ii)	Consumer Forums regularly onlining data through CMS	438
(iii)	Consumer Forums uploading Cause List	429
(iv)	Consumer Forums uploading judgements	427
(v)	Number of personnel imparted training / with e-learning sessions	4011/25

1.41 Asked about the reasons that out of 643 being covered under CONFONET only 521 locations could be provided with online access, the Department of Consumer Affairs in a written note stated as under:

"As on date, online access has been provided to all the 560 locations where hardware & manpower has been provided."

1.42 The Committee further enquired as to why out of 550 locations that have new set of hardware, only 521 have online access and only 438 are regularly doing data entry work, the Department of Consumer Affairs in a written note clarified:

"As on date, 457 consumer forums are regularly using online case monitoring system application (from 01-01-2015 to 31-03-2015). The reasons for not using the application may include non-availability/poor availability of internet connection at the consumer forum or no consumer case filed during the current period (especially in A& N, Lakshadweep, NE states). Another reason is that hardware delivery/ installation at some places is under process where work orders have been recently placed."

B. 'Strengthening Consumer Fora' (SCF)

1.43 Infrastructure facilities like new buildings, carrying out addition/ alteration of existing buildings and grant for non-building assets like furniture are being given under this scheme.

1.44 The Committee during the course of examination enquired whether all 643 locations covered, 550 locations working with new hardwares, 521 locations doing on-line access have their proper building and furniture to work, the Department of Consumer Affairs in a written note stated:

"Under the provisions of the Consumer Protection Act, 1986, it is the responsibility of the State Governments to set up District Forums and State Commissions. However, to supplement the efforts of the State Governments, the Department of Consumer Affairs has been extending financial assistance to the States/UTs to strengthen the infrastructure of Consumer Fora. Further, the Consumer Fora are being computerized and networked to enable dissemination of information leading to quicker disposal of cases."

1.45 Asked whether any road map has been prepared for giving them proper buildings and furniture in consultation with State Governments/UTs, the Department of Consumer Affairs in a written note stated:

"The Central Government has been taking various steps for improving the functioning of the Consumer Fora. As already stated, the Central Government has been providing financial assistance for improvement of the infrastructure.

Computerization of the Consumer Fora is being done to improve their operational efficiency. The State Governments are being asked at regular intervals to fill up the existing vacancies of the Presidents and members of the Consumer Fora so that pendency of cases could be less. In addition, amendments are being proposed in the Consumer Protection Act, 1986 to strengthen the monitoring mechanism."

1.46 At this, the Committee further enquired whether more funds would be required, the Secretary, Department of Consumer Affairs clarified:-

"I agree, Sir. The salaries of the President and the Members of the District Court are paid by the State Governments. Many State Governments have fixed absurd amounts as daily honorarium. How can we expect that Judge to sit there and do some work? We have written to State Governments many times saying that this needs to be reformed. Unless you pay decent amounts, you are not going to get quality. The same thing happens to State Commission buildings. We give money from Government of India towards construction of Commission premises. The State Governments have sometimes to supplement this. This does not happen."

1.47 During the course of evidence of the representatives of Department of Consumer Affairs, the issue of Strengthening Consumer Fora by way of arranging resources to both to State Commissions and District Fora came up in a big way. In this connection, the Secretary, Department of Consumer Affairs submitted:-

"The second issue you may wish to raise is that the hon. Minister must write to the Chief Ministers – we have discussed this with him many times but if it came from you it would have a greater impact – saying the State Governments must put more resources into both the State Commission and the District fora. They need to give money for construction, they need give money for honoraria, they need to give money for stationery expenses, routine things, non-Plan expenditure. State Governments need to understand that the consumer courts structure is a very important structure and as per law State Governments need to concentrate on this."

Spurious Seeds

1.48 During the course of evidence of the representatives of Department of Consumer Affairs the Committee pointed out that a lot of spurious seeds are being sold to farmers in rural areas and is being repeated in different names with no action against the offenders. On this issue, the Secretary, Department of Consumer Affairs clarified:-

"It is certainly within the purview of the Department of Consumer Affairs because all farmers who purchase seeds or fertilizers are consumers and their interests need to be protected. The only way we can do this is to work together with the Department of Agriculture. We can launch an awareness campaign both at the Central Government and the State Government level. We have done an advocacy campaign against spurious drugs and also launched campaign on food safety with FSSAI. Similarly, advocacy campaign cautioning people against counterfeit fertilizers, bad seeds etc. can certainly be done. We will take it up with the Department of Agriculture."

1.49 The Committee further pointed out the farmers especially in Telangana and Andhra Pradesh are worse sufferers, with no redressal, the Secretary, Department of Consumer Affairs added:-

"I am not trying to minimize the size of the problem. It is truly a major crisis situation in the rural areas. I am only suggesting that at this point of time, the only tool we have is to work with the Department of Agriculture. It is a good point directly focused on the issue."

1.50 The Committee further enquired whether Department of Consumer Affairs can take up the issue at highest level of the Government, the Secretary, Department of Consumer Affairs clarified :-

"We can work with the Department of Agriculture in having advocacy campaign. Our *mandate* is limited to that. They have the data as to where spurious drugs and seeds are distributed, who have suffered, what is the redressal that is possible etc. We can only work with them."

C. State Consumer Helpline

1.51 Under this scheme, resource centre at State level is to be developed, to be networked with national resource centre at IIPA and encourage alternate Consumer Disputes Redressal Mechanism at State level and help in resolving cases through Mediation Cell, 32 States/UTs have so far been sanctioned funds for setting up of State Consumer Helpline.

1.52 Out of 32 States/UTs that have been sanctioned financial assistance for setting up Consumer Helpline, 21 Consumer Helpline are functional (U.Q. 1196/ 03.03.15, L.S.)

and others are *at* different *stages* of getting operational States have promised to complete the work by the end of 12th Plan.

1.53 Asked about the status of *non*-operational State Helplines and difficulties that are coming in the way of getting them operational, the Department of Consumer Affairs in a written note stated:

"Under Consumer Protection Unit (CPU) the following States/UTs have been provided grants under the scheme of State Consumer helpline, but are yet to set up the helplines.

I. No.	Name of State/UT	Helpline
1.	Assam	Not set up
2.	Jharkhand	Not set up
3.	Manipur	Not set up
4.	Meghalaya	Not set up
5.	Punjab	Not set up
6.	Tripura	Not set up
7.	Uttarakhand	Not set up
8.	A & N Islands.	Not set up
9.	Lakshadweep	Not set up

The action for setting up of the helplines are at different stages."

1.54 When further asked about the State-wise funds sanctioned and releases vis-a-vis utilization of funds under State Consumer Helplines during the last two years, the Department of Consumer Affairs in a written note stated:

"Under Consumer Protection Unit (CPU) during the years 2013-14 and 2014-15 the position is as under:

SN	State/UT	2013-14 Funds released	2014-15 Funds released	Unsp. Bal.	Pending UC
1.	Bihar	2713514		2713514	Nil
2.	Chhattisgarh	-	2724116	2724116	Nil
3.	Haryana	1362058	2724116	2724116	Nil
4.	Himachal Pradesh	761921	1829800	2591721	Nil
5.	Kerala	-	1860854	Nil	Nil
6.	Maharashtra	2350601	2973371	2350601	Nil
7.	Mizoram	1349116		0	Nil
8.	Odisha	2724116	4,14,000	4,14,000	Nil
9.	Rajasthan	1438116		3.87	Nil
10.	Sikkim	-	1349116	1141616	1141616
11.	Tamil Nadu	-	2724116	2724116	Nil
12.	Telengana	-	2274558	2274558	Nil
13.	Tripura	2300478		2300478	Nil
14.	Daman & Diu		2299558	2299558	0
15.	Odisha		4,14,000	Nil	Nil

"

1.55 The Committee also enquired about the States/UTs which are yet to be sanctioned/released funds in this regard, the Department of Consumer Affairs in a written note stated:

> "Under Consumer Protection Unit (CPU) the following states/UTs have not yet been released any funds as they have not requested for any grant:
> (i) GOA
> (ii) J&K
> (iii) NCT of Delhi
> (iv) UT of Chandigarh."

(iii) Weights and Measures

1.56 The Department of Consumer Affairs has stated that Legal Metrology Division implements the following two schemes under the scheme Weights and Measures:-

(i) Strengthening Legal Metrology infrastructure of State/UTs.

(ii) Strengthening Regional Reference Standards Laboratory (RRSLs) and Indian Institute of Legal Metrology (IILM), Ranchi.

1.57 The actuals (2013-14) BE, RE (2014-15) and BE-2015-16 for weights and measures are as under:-

Rs. in Crores

Name of Scheme	(2013-14)		(2014-15)						(2015-16)	
	Actual		BE		RE		AE (upto Dec.2014)		BE	
	Plan	Non-Plan	Plan	Non-Plan	Plan	Non-Plan	Plan	Non-Plan	Plan	Non-Plan
Weights and Measures	49.12	-	61.00	4.87	20.07	5.23	15.36	3.93	33.00	5.93

1.58 During the course of examination the Committee asked about the reasons that there is severe reduction of Plan funds from the level of BE to RE during 2014-15, the Department of Consumer Affairs in a written note stated:

> "Sir**,** Due to non-finalisation of tenders by DGS&D lower funds were allocated to weights and measures, because the funds earmarked for procurement of equipments through DGS&D could not be utilised this year and therefore lesser funds were allocated to weights and measures schemes. "

1.59 The Committee also wanted to know the reasons as to why Rs.33.00 crore in Plan and Rs.5.93 crore in Non-Plan during BE-2014-15 have been asked particularly when the actual during the preceding years in Plan have been 15.36 crore and in Non-Plan as low as Rs.3.93 crores, the Department of Consumer Affairs in a written note stated:

> "Sir during 2015-16 Plan Funds of Rs. 33.0 Crore and non-plan funds of Rs. 5.93 Crore are asked, because the tenders which were not finalised by DGS&D last year, may be finalised this year and the funds shall be used. Also the increase in non-plan is due to increase in salary etc. and in anticipation of the previous year expenditure."

1.60 The Committee also enquired about the details of funds and their utilisation during 2013-14 to 2014-15 as compared to BE 2015-16 under the three schemes of (i) Strengthening Legal Metrology infrastructure of State/UTs and (ii)Strengthening Regional Reference Standards Laboratory (RRSLs) and Indian Institute of Legal Metrology (IILM), Ranchi, the Department of Consumer Affairs in a written note stated:

Scheme wise details:

Name of Scheme	(2013-14)	(2014-15)			(2015-16)
	Actual expenditure	BE	RE	AE (upto 31.3.2015)	BE
	Plan	Plan	Plan	Plan	Plan
Strengthening of Weights and Measures infrastructure of States/UTs	47.47	50.00	18.09	18.08	25.00
Strengthening of Regional Reference Standards Laboratories (RRSLs) and Indian Institute of Legal Metrology (IILM) Ranchi	1.98	11.0	1.98	*3.07*	8.00

VI. Bureau of Indian Standards (BIS)

1.61 Two plan schemes namely Gold Hallmarking and National System for Standardization being implemented by BIS. The actuals (2013-14) BE, RE (2014-15) and BE-2015-16 for these schemes are as under:-

Rs. in Crores

Name of Scheme	**(2013-14) Actual**	**(2014-15)**			**(2015-16) BE**
		BE	**RE**	**AE upto 31.12.14**	
Setting up of Gold Hallmarking Assaying centres in India	0.60	0.60	0.60	0.60	5.00
BIS Standardization and Quality Control	0.00	4.40	4.40	4.40	5.00

(i) Setting up of Gold Hallmarking Assaying centres in India

1.62 During the course of examination asked about the reasons for steep increase during the year 2015-16 for the scheme Gold Hallmarking particularly when the actual expenditures during 2013-14 and 2014-15 upto 31 December, 2014 are as low as Rs.0.60 crore each, the Department of Consumer Affairs in a written note stated:

> "An expression of interest for setting up of Gold Hallmarking and Assaying Centres was invited and number of applications received for central assistance has been far more than the anticipation therefore during the year 2015-16, a steep increase has been necessitated."

(ii) Standardization and Quality Control

1.63 With regard to National System of Standardization, the Department of Consumer Affairs has confirmed that based on recent study by Bhabha Atomic Research Centre (BARC) that the level of Bromate in packaged water in 27% samples analyzed were higher than WHO norms. The Committee also came across cases of complaint *against* companies engaged in production of packaged water with BIS Certification and after investigation some of these complaints have been *imposed* with penalty of stopping BIS Certification. The details are at Annexure VI. The details of erring companies alongwith result of investigation/action taken against these as reported by Department of Consumer Affairs are as under:

Year and No. of complaints	State	Name of the Licensee	Result of Investigation/ Action Taken
2011-12 Total - 07	Andhra Pradesh	M/s Penna Beverages, Medak, Andhra Pradesh	Complaint established. Firm offered for replacement but, no reply received from the complainant.
	Punjab	Om Sai Food & Beverages, Kurali, Mohali, Punjab.	Complaint established. Stop marking imposed.
	Karnataka	Aqua Mineral India, Bangalore, Karnataka	Complaint established. Product replaced.
	Karnataka	M/s Sri Sai Ganesh Minerals, Bangalore, Karnataka	Complaint established. Stop marking imposed.
	Madhya Pradesh	M/s Manikchand Food Breweries, Sagar, MP	Complaint established. Stop marking imposed.
	Tamil Nadu	M/s Premier Aqua Industries, KanyaKumari, Tamil Nadu	Complaint established. Stop marking imposed.
	Delhi	M/s. Shree TirupatiJi Enterprises, Mayapuri, Delhi	Complaint established. Stop marking imposed.
2012-13 Total - 03	Karnataka	M/s Mansarovar Industries, Bangalore, Karnataka	Complaint established. Stop marking imposed.
	Maharashtra	M/s Rajkumar Industrial Undertaking Nagpur Maharashtra	Complaint established. Stop marking imposed.
	Haryana	M/s ShriShyam Aqua Pvt. Ltd. Gurgaon	Complaint established. Stop marking imposed and later Licence expired.
2013-14	Tamil Nadu	M/s S R Mineral Water Pvt Ltd, Thiruvallure, Tamil Nadu	Complaint established. Stop marking imposed.

1.64 Asked whether the licensees against whom complaints have been established, their names should be prominently displayed on important places of transport users like Bus terminal, Railway Platforms, Metro Stations. Airports etc. by Department of Consumer Affairs through electronic and print media so that common *people* stays away from product of such tainted companies. The Committee also enquired whether the Consumer Awareness funds should be meaningfully utilized in this regard, the Department of Consumer Affairs in a written note submitted:

> " The observation of the Committee is noted and in future BIS/DOCA will be releasing regular press notes/advertisements about manufactures against whom complaints have been established."

1.65 During the course of examination the Committee also pointed out that *enforcement against* violation of BIS Act has been slow as shown from the following figures:

States	2013-14			2014-15		
	Raids conducted (upto 01.03.15)	Cases filed (upto 31.01.15)	Cases decided by Court	Raids conducted (upto 01.03.15)	Cases filed (upto 31.01.15)	Cases decided by Court
Andhra Pradesh	26	14	4	09	08	01
Delhi	13	19	6	09	01	06
Uttar Pradesh	03	10	02	03	01	-
West Bengal	03	02	-	02	-	-

1.66 Asked whether the rate of conviction is very-very less as compared to raids conducted/ cases filed. The Committee also enquired as to what should be done so that the wrong doer is brought to book instantly, the Department of Consumer Affairs in a written note stated:

> "This is a fact that rate of conviction is very less and long time is taken by court to decide such cases. The Department has submitted a proposal for the consideration of the Cabinet for introduction of the new BIS Bill. In the proposed new BIS Bill, provision has been made for cognizance of offences and also compounding of offences to take care of low rate of conviction and also penalties have been increased manifold."

1.67 During the course of evidence of the representatives of Department of Consumer Affairs the issue of absence of mandatory norms by BIS and need for enforcement of voluntary norms for different products came up before the Committee explaning that the issue be taken up with Hon'ble Minister of Consumer Affairs, Food and Public Distribution, the Secretary, Department of Consumer Affairs submitted:

> " The last matter which we would like your intervention with the Minister on this. A very important organisation under our control is the Bureau of Indian Standards. Hon. Committee has had a presentation on this subject in the past. The Bureau

of Indian Standards sets standards for a large number of products. Unfortunately, at this point of time only a few of these are mandatory. However, voluntary standards exist for a large number of products. If State Governments which are big buyers were to say in big State contracts and purchases that they would look for products that have met the voluntary standards, it would be a tremendous boost for the Make in India campaign in our country. If we have to ensure that manufacturing meets a certain high standard, standards exist. They have been published, notified by the BIS. They are voluntary. It is, therefore, necessary for manufacturing industry to adopt them voluntarily. They will only do so if the State Governments say it in their tender notices that they know that standards exist and they would buy products which have a BIS standard. This would go a long way both in supporting the BIS and in strengthening a very robust manufacturing regime in our country."

VII. National Test House

1.68 The Department of Consumer Affairs has stated that under the scheme National Test House a number of Schemes/projects have been conceptualised with a mission to modernise and strengthen NTH and to make NTH self-sufficient at the end of Twelfth Plan Period. The various projects are being implemented at different regions of NTH.

1.69 The actuals (2013-14) BE, RE (2014-15) and BE-2015-16 for NTH are as under:-

Rs. in Crores

Name of Scheme	(2013-14)		(2014-15)						(2015-16)	
	Actual		BE		RE		AE (upto Dec.2014)		BE	
	Plan	Non-Plan	Plan	Non-Plan	Plan	Non-Plan	Plan	Non-Plan	Plan	Non-Plan
National Test House	10.47	26.85	21.00	29.41	19.70	28.69	14.62	23.50	17.00	30.32

1.70 During the course of examination asked about the reasons that as against the Plan outlay of Rs.19.70 crore in RE (2014-15) Rs.17 crore have been proposed for BE 2015-16, the Department of Consumer Affairs in a written note stated:

"The proposal for reduction was made keeping in view the anticipated shortfall to spend budgetary target of Rs. 19.70 crore."

1.71 The Committee also enquired about the reasons for lowering the Plan funds and increasing the non-Plan funds from 2014-15 to 2015-16, the Department of Consumer Affairs in a written note stated:

"Non-plan fund are the mandatory expenditure of NTH out of which salary components covers almost 90%. Other expenditure of Non-Plan are governed by Common Govt. Policies, hence NTH has no control over it."

VIII. Non-Plan schemes (Projects under Consumer Welfare Fund)

1.72 The Department has informed that CWF Division of the Department of Consumer Affairs operates Consumer Welfare Fund under the Non-Plan Head of the Demands for Grants of the Department.

1.73 The Central Excise and Salt Act, 1944 was amended in 1991 to enable the Central Government to create a Consumer Welfare Fund where the money which is not refundable to the manufacturers, etc. is being credited. Consumer Welfare Fund was created in 1992 with the objective of providing financial assistance to promote and protect the welfare of the consumer, create consumer awareness and strengthen consumer movement in the country, particularly in rural areas. The Department of Consumer Affairs operates the fund, setup by the Department of Revenue under the Central Excise and Salt Act, 1944.

1.74 The advent of globalization and market economy has expanded areas that need intervention on behalf of the Government to protect the interest of consumers. Consumer Welfare Fund Guidelines were accordingly revised in 2007 to suit to the present day requirements.

1.75 The Department of Consumer Affairs has stated that CWF Division of the Department of Consumer Affairs operates Consumer Fund under Non-plan Head of Demands for Grants of the Department. Out of Rs. 45.30 crore for 2013-14, Rs. 39.25 crore was the provisional expenditure. During 2014-15, both in BE and RE, Rs. 15.00 crore was the allocation for projects under Consumer Welfare Fund. Rs. 15.00 crore have been proposed for 2015-16.

1.76 During the course of examination the Committee enquired about the reasons for the above huge reduction in 2014-15, the Department of Consumer Affairs in a written note stated:

"The Consumer Welfare Fund set up by the Department of Revenue under the Central Excise and Salt Act 1944 is operated by the Ministry of Consumer Affairs, Food & Public Distribution. The Central Excise and Salt Act 1944 was amended in 1991 to enable the Central Government to create Consumer Welfare Fund, where the money which is not refundable to the manufacturers etc. is credited. Since sufficient non-refundable money *was* not credited in the above funds in the past few years, therefore, the budget estimates for 2014-15 was reduced to Rs. 15 crores."

1.77 Asked about the utilisation of funds upto 31.03.2015, the Department of Consumer Affairs in a written note stated:

> "The total expenditure under Consumer Welfare Fund during 2014-15 is Rs. 13.31 crore (provisional) as on 31.03.2015, which is about 88.7% of the total BE."

1.78 During the course of examination the Department of Consumer Affairs has furnished the position about funds sanctioned/released from CWF during 2014-15:

Sl. No.	Agencies	Project	Funds sanctioned/ released
(i)	VOICE Society, Delhi	Comparative testing of products and services	Rs. 40 lakh released in September, 2014
(ii)	CONCERT	-do-	Rs. 40 lakh released in August, 2014.
(iii)	IIPA, Delhi	Formulation of Consumer Welfare Programmes	Rs. 66.25 lakh in May, 2014.
(iv)	National Law School of India University, Bangalore	Research and Policy related issues on Consumer Law and Practice	Rs. 15.00 lakh sanctioned.
(v)	Administrative Staff College of India, Hyderabad	For setting up a centre for Rural Consumer Studies in years	Rs. 1.50 crore approved for three years. 1st installment of Rs. 45 lakh released in 2012 and 2nd installment of Rs. 38.16 lakh also released in March, 2013.
(vi)	National Law Institute University, Bhopal	For chair on Professorship in Consumer Protection for a period of 5 years	Rs. 94.45 lakh sanctioned. Rs. 39.37 lakh released in 2010 and Rs. 23.36 lakh released in August, 2013.

1.79 The Committee enquired in what way the above projects are serving the interests of common consumers, the Department of Consumer Affairs in a written note stated:

> "The projects on consumer rights, protection and promotion of their interest conducted by various VCOs/institutions go a long way in serving the interest of common consumers as it facilitates formulation of suitable policies in their interest to safeguard them against unfair trade practices. The CCS-Centre for Consumer Studies-Indian Institute of Public

Administration in Delhi, Chair on professorship in consumer protection in the National Law University, Bhopal, Chair on Consumer Law and Practise in National Law School of India University, Bangalore and other such projects are created with a view to making them centres of excellence in the field of consumer rights. These institutions work as a think-tank for innovative research and development in the field of consumer rights by adopting/adapting global best practises. The other renowned VCOs like Voice Society, CONCERT, etc conduct studies on comparative testing of products and services, the findings of which are beneficial to consumers at large and also provides inputs to the Government in policy formulation."

PART II

Recommendations / Observations

In pursuance of Rule 331E(1)(a) of Rules of Procedure and Conduct of Business in Lok Sabha, the Demands for Grants (2015-16) in respect of different Ministries/ Departments stand referred to concerned Departmentally Related Standing Committees. Thus Standing Committee on Food, Consumer Affairs and Public Distribution (2014-15) have examined the Demands for Grants (2015-16) of two Departments viz., (i) Department of Consumer Affairs and (ii) Department of Food and Public Distribution under its jurisdiction. This Report of the Committee deals with examination of Demands for Grants (2015-16) of Department of Consumer Affairs. The recommendations / observations of the Committee are in succeeding paragraphs.

Less allocation during Twelfth Plan (2012-17)

The Committee are dismayed to note that Rs.2131.65 crore as proposed by Department of Consumer Affairs have been brought down to as low as Rs.1069 crore for Twelfth Plan (2012-17) indicating as large as one half reduction of funds that has badly hit important areas like publicity for Consumer Awareness, Consumer Protection, National Test House, Bureau of Indian Standards (BIS) that are directly related to common man. The Committee's examination has further revealed that in the case of consumer awareness such reduction will definitely affect awareness campaigns as these awareness campaigns are directly related to funds available. Likewise in the case of BIS and NTH the huge reductions have resulted in approval of only two schemes out of four schemes in BIS and deterred the Department of Consumer Affairs from initiating execution of Plan projects in NTH. Further Department have apprehended that if additional funds are not made available for NTH for some high tech projects, completion of projects in hand may suffer. The Committee find that they had last year also come across both these two reasons that led to under-utilisation of funds and had recommended the issue be examined and they may be apprised before the examination of next Demand for Grants during 2015-16. The Committee however have not received necessary comments thereon and as such they are unable to comment further on this issue.

In this connection, the Committee recall that they in their last year's Report (2nd Report Rec.No.2) had also opined that already a few funds have been made available to the Department of Consumer Affairs for the mammoth task of consumer awareness and consumer rights. The Committee therefore had observed that they were very much concerned with acute shortage of funds available and recommended that the issue be taken up with Planning Commission and outcome be apprised to them before the examination of next

Demands for Grants. The Committee are constrained to note that action taken on this issue is still to be conveyed to them. In the absence of view of the Department of Consumer Affairs the Committee are unable to comment on this issue. However, in the light of foregoing reiterate that the issue of allocation of funds be taken up with Planning Commission taking into account that important areas like consumer awareness, important projects under BIS / NTH do not suffer for want of funds.

(Recommendation Sl. No.1)

Repeated reduction of Plan funds during Annual Plans 2012-13 to 2014-15

The Committee's examination has revealed that Plan funds in first three years i.e. 2012-13, 2013-14 and 2014-15 of current Plan have been reduced year after year. For instance, the available funds at (BE) during 2012-13 of Rs.241 crore were reduced to Rs.150 crore. In 2013-14 the funds available were Rs.241 crore that were brought down to Rs.192 crore at RE stage. Similarly for 2014-15 (BE), Rs.220 crore was reduced to as low as Rs.140 crore. In complete proposals, non-receipt of utilization certificates in the consumer awareness scheme, delay in finalisation of tenders by DGS&D for State based schemes under Weights and Measures etc., have been attributed reason for reduction in available funds at RE stage.

In this connection, the Secretary, Department of Consumer Affairs while informing the Committee that out of Rs.140 crore available in RE (2014-15) Rs.138 crore has been utilised has however expressed his helplessness before the Committee over huge reduction of Rs.80 crore where the available funds are as small as Rs.220 crore and have apprehended that this may increase their difficulties manifolds and has thus approached the Committee to intervene on this issue. The Committee feel that Department of Consumer Affairs though with a small budget has laudable objective of making the consumer aware about their rights on consumer related issues should be given far - far greater amount that is presently available. The Committee at the same time advise the Planning Commission not to reduce the Plan funds that are allocated to Department in future. At the same time caution the Department of Consumer Affairs to deftly tackle the problem of non-receipt of proposals, non-receipt of UCs from State Governments/UTs in Consumer Awareness Scheme leaving no room for future reduction of Plan fund at the hands of Planning Commission now Niti Aayog.

(Recommendation Sl. No.2)

Unspent balances under different schemes

The Committee are constrained to note that with small annual budget under the Department of Consumer Affairs, crores of rupees of unspent balances /pending UCs pertaining to the last 2 - 3 years under all the schemes are figuring

in the Outcome Budget (2015-16) of the Department and these are increasing year after year. The Committee find that the level of unspent balances in 2011-12 was as high as Rs.93.75 crore which rose to Rs.99.17 crore in 2012-13 and during 2013-14 it was all time high of Rs.124 crore. Similarly was the position about pending utilization certificates(UCs) which rose from Rs.84.36 crore in 2012-13 to Rs.87.65 crore in 2013-14. In 2013-14, it was Rs.80.48 crore. From the scheme-wise unspent balances in different States, the Committee find that under Strengthening Consumer Fora (SCF) under Consumer Protection Unit (CPU) of the Department of Consumer Affairs in prominent States like West Bengal (Rs.552.65 lakh), Bihar (Rs.504.22 lakh), Uttar Pradesh (Rs.376.89 lakh) etc., are lying unspent.

Whereas under Consumer Helpline in important States like Andhra Pradesh (Rs.27.25 lakh), Arunachal Pradesh (Rs.23.91 lakh), Assam (Rs.24.10 lakh), Bihar (Rs.27.10 lakh) have been shown as unspent. Similarly under Consumer Awareness in big States of Uttar Pradesh (Rs.51.00 lakh) and Madhya Pradesh (Rs.50.00 lakh) are lying unspent. Likewise under Weights and Measures huge amount are also lying unspent in Uttar Pradesh (Rs.962 lakh), Karnataka (Rs.562 lakh) etc. In this connection, the Committee find that in pursuance of the recommendation of the Committee for setting up a task force on the issue the Department have set up the task force and some progress under Consumer Awareness with regard to obtaining UCs from different States/UTs has been made. The Committee are not convinced with the explanation of Department of Consumer Affairs that once money reaches to Food Secretary and concerned States they are supposed to utilise it and Department is getting really poor response in spending of money. In this connection the Committee has been informed by Secretary Department of Consumer Affairs that in the light of Standing instructions given way back in November, 2012 that pending Utilization Certificates releases should not be made and at the same time Department is also under pressure to spend more as such these two have to be balanced. The Committee feel that Department of Consumer Affairs should work faster on the issue so that unspent balances / pending UCs are cleared expeditiously.

(Recommendation Sl. No.3)

<u>Consumer Awareness - Need for National Programme</u>

The Committee are constrained to note that for covering the consumer awareness of as high as 125 crore population of the country, as low as Rs.75 crore are being allocated annually in the budget of Department of Consumer Affairs which is itself is struggling with reduced funds year after year during the last three-four years. The Committee find that Department of Consumer Affairs has considerably admitted before the Committee that the task of educating 125 crore population is herculean task and can be taken up as a sustained

programme with adequate resource availability. In this connection, the Secretary, Department of Consumer Affairs has underlined the need for judicious utilisation of funds which are already limited and have asked for more funds for advertisement of programmes reaching in rural areas. In this connection, the Committee recall that they had already recommended for drawing up a time bound national perspective for evolving a national programme for Consumer Awareness in their last year's report. Since, the action taken thereon is still awaited. The Committee are unable to comment further on this issue. The Committee at the same time reiterate that national programme for Consumer Awareness be evolved with sufficient funds expeditiously.

(Recommendation Sl. No.4)

Need for immediate disposal of at least 10 per cent complaints

As regards, consumer awareness in rural areas in the country, the Committee have been informed that in rural areas consumer awareness is being done through print, TV and radio and Consumer Grievances are being attended through various ways like State Helplines, Consumer Grievance Cells, Consumer Courts at district and State levels etc. Very recently, a Portal called GAMA has been opened for this purpose. The Committee find that little response of as low as 40 complaints in the Portal from 18 March to 6 April, 2015 with as low as 3500 complaints coming up at National Helpline and 1500 complaints at State Helplines on an average very well speak the inadequacy of Governmental efforts in this regard. The Committee also find that opening of Suvidha Kendra in selected centres is also in formative stages. In this connection, on the idea of immediate disposal of at least ten percent complaints that was floated by the Committee, the Committee have been informed by this Secretary, Department of Consumer Affairs that instructions of this sort have been given at the meeting of 18th March, 2015 that minimum level of disposal must be set. The Committee recommend that this work should be done expeditiously for bringing back the lost faith on the delivery of justice through Consumer Courts.

(Recommendation Sl. No.5)

Consumer Protection

The Committee's examination has revealed various issued on Consumer Protection which, inter-alia, include non-receipts of complete proposals in 2014-15 for schemes of Strengthening of Consumer Fora and CONFONET resulting in reduction of funds from Rs. 55 crore in BE to as low as Rs. 16.64 crore at RE. Similar reduction of funds in CONFONET from Rs. 25.00 crore to Rs. 10.12 crore in the same years, slow pace on on-line access on CONFONET locations by reason of poor or non- availability of internet etc. In this connection a valuable suggestion has come up before the Committee from Secretary,

Department of Consumer Affairs that since there is a need for more resources to be made available to State Commissions and District Fora for making the remuneration of Judges more attractive and for infrastructure honoraria related requirements, the Committee feel that this issue should be taken up by Hon'ble Minister of Consumer Affairs, Food and Public Distribution by way of writing to Chief Ministers of different States to allocate sufficient funds in the State Budget for different programmes for Consumer Protection. The Committee find merit in the suggestion and recommend the Department to do needful in the matter.

(Recommendation Sl. No. 6)

Spurious Seeds

The Committee's examination has revealed that large scale spurious seeds are being sold in rural areas especially in Andhra Pradesh under different names with no punitive action. In this connection the Secretary, Department of Consumer Affairs taking cognizance of the subject matter has opined before the Committee that interest of affected consumers are to be protected by Department of Consumer Affairs in association with Department of Agriculture and Cooperation and an awareness campaign can be launched by Central or State Government against spurious drugs from the angle of food safety with FSSAI. The Committee feel that this issue has alarming proportions and urgent action has to be taken within the reach of law so that farmers' interest as consumer is safeguarded.

(Recommendation Sl. No. 7)

State Consumer Helplines

The Committee are constrained to note that out of 32 States/UTs that have been sanctioned financial assistance for setting up Consumer Helplines, as low as 21 State Helplines are functional and remaining are to be made operational at the end of 12th Plan. The Committee are also constrained to note that major States where State Helplines are not set up are Punjab, Assam, Jharkhand, Manipur, Meghalaya, Tripura, Uttarakhand and UT of Andaman & Nicobar Islands and Lakshadweep. Further, the Committee are dismayed to note that prominent States like Goa, J&K, NCT of Delhi and UT of Chandigarh have not even asked for funds and as a result necessary funds have not been released to these States/UTs. The Committee are also unhappy to note that prominent States like Bihar, Chhattsigarh, Haryana, Himachal Pradesh, Maharashtra, Tamil Nadu, Telengana etc. more than Rs. 25 lakh have been shown as unspent balance under State Helpline Scheme as per latest available figures.

In view of the foregoing, the Committee feel that Department of Consumer Affairs' role has not been effective as it ought to have been in pursing States to set up State Helpline or asking States to apply for requisite funds from where it is not forthcoming or taking up the issue of unspent balances from large number of States referred to above. The Committee, therefore, expect the Department of Consumer Affairs to work in a more pro-active manner on the issue of setting up State Consumer Helplines in the interest of consumers.

(Recommendation Sl. No. 8)

Weights and Measures

The Committee are constrained to note that under the scheme 'Weights and Measures', the BE (2014-15) of Rs. 61.00 crore was brought down to Rs. 20.07 crore at RE stage following non-finalization of tenders by DGS&D that resulted in non-utilization of funds earmarked for procurement of equipment through DGS&D. For scheme 'infrastructure of States' BE (2014-15) of Rs. 50 crore were brought down to as low as Rs. 18.08 crore at RE level whereas in scheme for 'Strengthening Regional Reference Standards Laboratories (RRCSc) and Indian Institute of Legal Metrology (IILM), Ranchi', the reduction was from Rs. 11.00 crore to the level of Rs. 1.98 crore. The Committee also find that as against the RE (2014-15) of Rs. 20.07 crore, the actual expenditure upto December, 2014 was only Rs. 15.36 crore which is much lower than the actuals of Rs. 49.12 crore during the previous year. The Committee find that expecting finalization of tenders by DGS&D during 2015-16, Rs. 33.00 crore has been proposed for 2015-16. The Committee feel that Department of Consumer Affairs should impress upon DGS&D to finalize the pending tenders so that the Plan Outlay which is almost half of BE (2014-15) is not further reduced at RE stage.

(Recommendation Sl. No. 9)

Bureau of Indian Standards

The Committee's examination of Bureau of Indian Standards (BIS) Scheme has revealed various issues that, inter-alia, include need for bringing about greater awakening among common consumers against the use of products like packaged water manufactured by tainted companies in different States , need for early cabinet clearance to new BIS Bill that seeks to make provision for cognizance of offences and also compounding of offences in the light of low rate of conviction in cases filed against violation of provisions of BIS Act, impressing upon Chief Ministers of different States to go for products complying voluntary norms of BIS in their big Government purchases through tenders etc.

With regard to bringing about greater awareness about products of tainted companies, it came out before the Committee that complaints were lodged against large number of companies engaged in production of packaged water in

different States of Andhra Pradesh, Punjab, Karnataka etc. on the ground that these were using BIS Certification and after investigations, some complaints were established and companies were asked not to use BIS certification or replace the product. In this connection on a suggestion of the Committee of displaying the name of such companies in important public places so that common consumer stays away from such products, the Committee have been informed by the Department of Consumer Affairs that it may be done through press releases and advertisements. The Committee, however, feel that names of such tainted companies be displayed at public places so that common consumer stays away from such products.

On the low rate of conviction in cases filed involving violation of provisions of BIS Act in different States, it came out during the course of examination that for instance during 2013-14 in Andhra Pradesh out of 26 raids conducted and 14 cases filed in court, only 4 cases were decided. During 2014-15, out of 9 raids conducted and 8 cases filed, the case decided was only 1. On the issue of instant justice, the Committee have been informed that to take care of low rate of conviction the new Bill on BIS seeks to provide for cognizance of offence, compounding of offences etc. The Committee, therefore, recommend that the new Bill on BIS pending before Cabinet be cleared expeditiously.

On the issue of impressing upon Chief Ministers of different States to go for products complying voluntary norms in big Government Contracts, the Secretary, Department of Consumer Affairs during the course of evidence while submitting that as on today unfortunately only a few BIS norms are mandatory and compliance of large number of BIS norms are voluntary, has suggested that the Committee may insist upon Hon'ble Minister of Consumer Affairs to persuade Chief Ministers of different States to go for products complying voluntary BIS norms in a big way in their big Government Contracts and purchases by way of making this provision mandatory in their tender documents. The Committee feel that there is a merit in the suggestion and urge the Department of Consumer Affairs to do needful in the matter.

(Recommendation Sl. No. 10)

<u>National Test House</u>

The Committee's examination of scheme of National Test House (NTH) has revealed that on Plan component as against the BE (2014-15) of Rs.21.00 crore at RE stage the amount is Rs.19.70 crore. However, the Committee are constrained to find that actual expenditure (upto 31.03.2015) has been as low as Rs.16.97 crore. The Committee find that for 2015-16 Rs. 17.00 crore has been proposed. In view of shortfall of utilisation of funds during 2014-15, the Committee feel that whatever reduced funds that are available during 2015-16 be fully utilized by Department of Consumer Affairs.

(Rec. Sl. No. 11)

Consumer Welfare Fund

The Committee are constrained to note that level of funds for non-Plan Scheme (Projects under Consumer Welfare Fund) have fallen from Rs.45.80 crore in 2013-14 to as low as Rs. 15.00 crore in 2014-15 and for 2015-16 the same amount has been proposed and non arrival of sufficient funds from different sources has been the reason for less provision. The Committee are also constrained to note that out of Rs. 15.00 crore available during 2014-15 the expenditure upto 31.03.2015 was as low as Rs.13.31 crore only. The Committee feel that ways and means be found for augmenting the consumer resources of Consumer Welfare Fund that is primarily helping consumer awareness particularly in rural areas.

(Rec. Sl. No. 12)

NEW DELHI
17 April, 2015
27 Chaitra, Saka 1937

J. C. DIVAKAR REDDY,
Chairperson,
Standing Committee on Food,
Consumer Affairs and Public Distribution

ANNEXURE-I

The statements in respect of scheme of strengthening Consumer Fora and State Consumer Helpline are given below:

Strengthening Consumer Fora Scheme-Unspent balance/pending UC (Rupees in lakhs)					
Sl. No.	**Name of States / Union Territories**	**2012-13**	**2013-14**	**2014-15**	**Total Unspent Balance**
1	Andhra Pradesh				**311.14**
2	Arunachal Pradesh		335.00		**335.00**
3	Assam				**48.55**
4	Bihar		502.78		**504.22**
5	Chhattisgarh		200.00		**200.00**
6	Goa				**0.00**
7	Gujarat				**252.83**
8	Haryana		53.20		**54.27**
9	Himachal Pradesh		52.57		**55.55**
10	Jammu & Kashmir				**0.00**
11	Jharkhand				**57.63**
12	Karnataka				**122.54**
13	Kerala		112.94		**117.96**
14	Madhya Pradesh				**95.76**
15	Maharashtra				**144.43**
16	Manipur				**60.00**
17	Meghalaya		82.81		**82.81**
18	Mizoram		0.00		**0.00**
19	Nagaland		200.00		**200.00**
20	Orissa				**97.83**
21	Punjab	4.33			**71.03**
22	Rajasthan				**90.09**
23	Sikkim				**0.00**
24	Tamil Nadu	0.00	300.00		**300.00**
25	Tripura	163.80			**210.03**
26	Uttar Pradesh	188.75			**376.89**
27	Uttrakhand				**171.36**
28	West Bengal		45.00	507.65	**552.65**
29	Delhi				**0.00**
30	Puducherry				**0.00**
31	Andaman & Nicobar (UT)				**35.40**
32	Chandigarh (UT)				**30.20**
33	Daman & Diu (UT)				**57.25**
34	Dadar& Nagar Haveli(UT)				**40.12**
35	Lakshadweep (UT)				**30.20**
	TOTAL				

ANNEXURE-II

Consumer Helpline Scheme-Unspent Balance/pending UC						
Sl. No.	**State/UT**	**2012-13**	**2013-14**	**2014-15**	**Unsp. Bal.**	**Pending UC**
1	Andhra Pradesh				2725000	2725000
2	Arunachal Paradesh				2396616	2396616
3	Assam				2410000	2410000
4	Bihar	1136616	2713514		2713514	Nil
5	Chhattisgarh			2724116	2724116	Nil
6	Goa				0	0
7	Gujarat				549148	549148
8	Haryana	2760000	1362058	2724116	2724116	Nil
9	Himachal Pradesh		761921	1829800	2591721	Nil
10	Jammu & Kashmir				0	0
11	Jharkhand				2680000	2680000
12	Karnataka				1136616	1136616
13	Kerala			1860854	Nil	Nil
14	Madhya Pradesh				389656	389656
15	Maharashtra	2053536	2350601	2973371	2350601	Nil
16	Manipur				2195000	2195000
17	Meghalaya	2195000			2195000	2195000
18	Mizoram	1141616	1349116		0	Nil
19	Nagaland				2195000	2195000
20	Odisha			414000	414000	Nil
21	Punjab				2760000	2760000
22	Rajasthan		1438116		3.87	Nil
23	Sikkim	1141616		1349116	1141616	1141616
24	Tamil Nadu	2271616		2724116	2724116	Nil
25	Telangana			2274558	2274558	Nil
26	Tripura		2300478		2300478	Nil
27	Uttar Pradesh				2760000	2760000
28	Uttarakhand				2410000	2410000
29	West Bengal				2410000	2410000
30	A & N Islands.	2195000			2195000	2195000
31	Chandigarh Admin.				0	0
32	Dadra Nagar Haveli				2195000	2195000
33	Daman & Diu			2299558	2299558	0
34	Lakshadweep				2195000	2195000
35	Delhi				0	0
36	Puducherry				2195920	2195920
Total						

ANNEXURE-III

CONSUMER AWARENESS

State/UT wise details of unspent balance and pending UCs is as under:

(Rs. in crore)

S.No.	Name of State/UT	Pending UC for 2011-12	Name of State/UT	Pending UC for 2012-13	Name of State/UT	Pending UC for 2013-14
1	Andhra Pradesh	0.46	Goa	0.02	Gujarat	0.50
2	Goa	0.01	Punjab	0.40	Punjab	0.30
3	Tamil Nadu	0.47	Chhattisgarh	0.30	Chhattisgarh	0.30
4	Meghalaya	0.10	Himachal Pradesh	0.16	Haryana	0.29
5			Madhya Pradesh	0.40	Madhya Pradesh	0.50
6			Arunachal Pradesh	0.32	Maharashtra	0.29
7			Puducherry (UT)	0.08	Uttar Pradesh	0.91
8					Arunachal Pradesh	0.20
9					Puducherry (UT)	0.08

ANNEXURE-IV

Weights & Measures

Unspent Balance/ pending UCs as on 31.3.2015

Sr. No.	Name of States/ UTs	Grant Upto 2007-08	Grant in Aid (Rs. In Crores) 2009-10	Grant in Aid (Rs. In Crores) 2010-11	Grant in Aid (Rs. In Crores) 2011-12	Grant in Aid (Rs. In crore) 2012-13	Grant in Aid (in Crores) 2013-14)	Grant in Aid (in Crores) 2014-15	**Total unspent balance (Rs. in crores) 2009-15**
1.	Andhra Pradesh		2.25		0.06				**2.31**
2.	Assam		1.25	0.06	0.06				**1.37**
3.	Bihar		-	2.06	0.06				**2.12**
4.	Chhattisgarh		0.15	-	-	0.35			**0.50**
5.	Goa			0.03	0.03		1.47		**1.53**
6.	Gujarat		0.45	0.06	-	0.48			**0.99**
7.	Haryana		-	-	1.00	0.42			**1.42**
8.	Himachal Pradesh		-	1.25	-				**1.25**
9.	J&K		-	0.06	0.09				**0.15**
10.	Jharkhand				0.03	2.45			**2.48**
11.	Karnataka		-	0.06	0.06	1.05		4.45	**5.62**
12.	Madhya Pradesh			0.06	0.06			2.25	**2.37**
13.	Maharashtra		-		1.31				**1.31**
14.	Manipur		-			0.60 (Rs 15 Lakh less)			**0.60**
15.	Meghalaya							**1.29**	**1.29**
16.	Mizoram						1.49	0.71	2.20
17.	Nagaland			-	0.03	1.25	2.50		**3.78**
18.	Orissa		0.70	0.06	-				**0.76**
19.	Punjab		-	-	1.25				**1.25**
20.	Rajasthan		-	0.029	1.56	1.00			**2.589**
21.	Sikkim		-	0.25					**0.25**
22.	Tamil Nadu		-	0.06	0.61		3.25		**3.92**
23.	Telangana							3.84+ 1.91	**5.75**
24.	Tripura		-	0.62	-		1.16		**1.78**
25.	U.P.		-	.023	4.35	5.25			**9.623**
26.	Uttrakhand		-	0.03	0.53	1.25			**1.81**
27.	West Bengal		0.75	-	-				**0.75**
28.	Delhi			0.06	0.06		0.25	0.50	**0.87**
29.	UT Chandigarh	0.03 Cr during 2005	-	-	-				**0.03**
30.	Dadar & Nagar Haveli	0.03 Cr during 2005							**0.03**
	Total	0.06 Cr	5.55	4.772	11.15	14.10	10.12	**14.95**	**60.702**

ANNEXURE-V

BE, RE and Actual Expenditure under Plan Scheme during 2013-14, 2014-15 and BE 2015-16

Plan

(Rs. In crores)

Sr. No.	Name of the Scheme/Project/ Programme	2013-14			2014-15			2015-16
		BE	**RE**	**Expr.**	**BE**	**RE**	**Expr. Upto 31.03.2015**	**BE**
1	**Consumer Awareness (Publicity)**	**75.00**	**71.00**	**68.08**	**75.00**	**76.47**	**76.43**	**75.00**
2	**Consumer Protection**							
(i)	Strengthening Consumer Fora	32.68	19.04	19.04	27.60	5.08	5.08	24.00
(ii)	CONFONET	23.85	22.00	22.00	25.00	10.12	10.12	15.00
(iii)	Strengthening Price Monitoring Structure	1.84	0.00	0.00	2.00	1.04	0.81	2.00
(iv)	Consumer Protection Cell	0.40	0.40	0.13	0.40	0.40	0.22	1.00
(v)	State Consumer Helpline	3.00	1.50	1.50	3.00	2.12	2.12	**3.00**
	Total	**61.77**	**42.94**	**42.67**	**58.00**	**18.76**	**18.35**	**45.00**
3	**Weights and Measures**							
(i)	Strengthening of W & M Infrastructure of States/Uts	60.00	52.22	47.47	50.00	18.10	18.09	25.00
(ii)	Strengthening of RRSLs	3.00	1.56	1.51	7.50	1.50	2.59	6.00
(iii)	Strengthening of IILM, Ranchi	1.00	0.50	0.14	3.50	0.47	0.47	**2.00**
	Total	**64.00**	**54.28**	**49.12**	**61.00**	**20.07**	**21.15**	**33.00**
4	**National Test House**	**18.75**	**11.38**	**10.47**	**21.00**	**19.70**	**16.97**	**17.00**
5	**Bureau of Indian Standards**							
(i)	Gold Hallmarking	0.60	0.60	0.60	0.60	0.60	0.60	5.00
(ii)	Standardisation and Quality Control	4.68	0.00	0.00	4.40	4.40	4.40	5.00
	Total	**5.28**	**0.60**	**0.60**	**5.00**	**5.00**	**5.00**	**10.00**
6	**Forward Market Commission***	**16.20**	**11.80**	**9.15**				
	Total	**241.00**	**192.00**	**180.09**	**220.00**	**140.00**	**137.90**	**180.00**

*Transferred to Ministry of Finance, Department of Economic Affairs.

ANNEXURE-VI

Year wise and State wise details of complaints relating to Packaged Drinking Water (IS 14543)

Year and No. of complaints	State	Name of the Licensee	Result of Investigation/Action Taken
2011-12 Total - 07	Andhra Pradesh	M/s Penna Beverages, Medak, Andhra Pradesh	Complaint established. Firm offered for replacement but, no reply received from the complainant.
	Punjab.	Om Sai Food & Beverages, Kurali, Mohali, Punjab.	Complaint established. Stop marking imposed.
	Karnataka	Aqua Mineral India, Bangalore, Karnataka	Complaint established. Product replaced.
	Karnataka	M/s Sri Sai Ganesh Minerals, Bangalore, Karnataka	Complaint established. Stop marking imposed.
	Madhya Pradesh	M/s Manikchand Food Breweries, Sagar, MP	Complaint established. Stop marking imposed.
	Tamil Nadu	M/s Premier Aqua Industries, Kanya kumari , Tamil Nadu	Complaint established. Stop marking imposed.
	Delhi	M/s Shree Tirupati Ji Enterprises, Mayapuri, Delhi	Complaint established. Stop marking imposed.
2012-13 Total - 03	Karnataka	M/s Mansarovar Industries, Bangalore Karnataka	Complaint established. Stop marking imposed.
	Maharashtra	M/s Rajkumar Industrial Undertaking Nagpur Maharashtra	Complaint established. Stop marking imposed.
	Haryana	M/s ShriShyam Aqua Pvt Ltd, Gurgaon	Complaint established. Stop Marking imposed &later Licence expired.
2013-14 Total 02	Tamilnadu	M/s S R Mineral Water Pvt Ltd, Thiruvallure, Tamilnadu	Complaint established. Stop marking imposed.
	Faridabad	M/s Dharam Raj Product Ballabh garg, Faridabad	Complaint established. Stop Marking issued. Product replacement offered. Matter sub-judice as manufacturer initiated legal proceedings against the complainant.
2014-15 (till 31.01.2015) Total -11	Lucknow	M/s Kinley ,Lucknow (M/s Brindavan Beverages Pvt. Ltd Lucknow)	This is a Police case and no further investigation by BIS is required.
	Haryana	Vestal Aqua products ,Noida	Investigation under progress.
	Jaipur	M/s Bisleri International Limited, Jaipur	Investigation under progress.
	Faridabad	M/s Ira Sky Beverages Pvt Ltd-Faridabad	Investigation under progress.
	Manipur	M/s Markende Beverages Imphal, Manipur	Complaint not established.
	Tamilnadu	M/s AGMS Healthy and Purity Aqua Services and AMS Aqua Product Chennai	Complaint not established.
	Tamilnadu	M/s Water world Tamilnadu	Investigation under progress.
	Kerala	M/s Sagara Agencies -Kerala	Complaint not established.
	Punjab	M/s Bisleri Brand water (Ludhiana)	Complaint not established.
	Bangalore	Bisleri Water, Bangalore	Investigation under progress.
	Bangalore	Classic Aqua Drinking water, Banaglore.	Investigation under progress.

Complaints received for Packaged Natural Mineral Water (IS 13428) - NIL

State-wise and Year-wise statement of raids conducted for the misuse of ISI Mark for the last three years and current year.

State	2011-12	2012-13	2013-14	2014-15 (till 01.03.2015)
Andhra Pradesh	17	15	26	09
Assam	02	01	-	-
Bihar	-	-	-	-
Chandigarh U. T.	-	-	-	-
Chhatishgarh	-	-	-	-
Daman U.T.	-	-	-	-
Delhi	12	09	13	09
Gujarat	13	09	14	05
Haryana	10	07	02	01
Himachal Pradesh	03	01	02	-
J&K	-	-	-	-
Jharkhand	-	-	-	01
Karnataka	08	09	02	03
Kerala	02	02	02	03
Madhya Pradesh	08	08	04	-
Maharashtra	09	13	04	01
Orissa	01	02	01	-
Punjab	04	04	01	-
Rajasthan	04	01	-	04
Tamilnadu	10	13	20	13
Uttar Pradesh	10	11	03	03
Uttrakhand	-	-	-	-
West Bengal	12	07	03	02
Telangana	-	-	-	05
Total	125	112	97	59

No raids have been conducted for the misuse of ISI Mark in other States.

State-wise and Year-wise statement of cases filed in the court of law for misuse of ISI Mark during last three years and current year

State	2011-12	2012-13	2013-14	2014-15 (till 31.01.2015)
Andhra Pradesh	12	20	14	08
Assam	01	-	-	-
Delhi	10	10	19	01
Gujarat	17	08	10	01
Haryana	13	04	-	-
Himachal Pradesh	05	02	-	-
Karnataka	01	12	-	-
Kerala	02	03	02	02
Maharashtra	10	21	10	-
Madhya Pradesh	07	10	08	-
Orissa	-	01	03	-
Punjab	06	04	-	-
Rajasthan	05	01	-	-
Tamil Nadu	06	06	10	-
Uttar Pradesh	14	04	10	01
Uttarkhand	-	-	01	-
West Bengal	10	07	02	-
Telangana	-	-	-	-
Total	119	113	89	13

No case has been filed in other States.

State-wise and Year-wise statement of cases decided by the courts during last three years and current year.

State	2011-12	2012-13	2013-14	2014-15 (till 31.01.2015)
Andhra Pradesh	01	03	04	01
Assam	-	-	-	-
Bihar	-	-	01	
Delhi	19	13	06	06
Gujarat	05	05	07	01
Haryana	12	03	-	-
Himachal Pradesh	03	09	-	-
Karnataka	02	02	01	-
Kerala	01	-	03	-
Maharashtra	12	09	06	01
Madhya Pradesh	07	07	02	-
Orissa	-	-	-	-
Punjab	16	08	03	03
Rajasthan	01	-	01	-
Tamil Nadu	03	04	06	-
Uttar Pradesh	07	04	02	-
Uttarkhand	-	-	-	-
West Bengal	11	05	-	-
Telangana	-	-	-	-
Total	100	72	42	12

Year-wise Statement of complaint cases decided by the Honble Court(s) indicating conviction rate and the number of imprisonment (As on 31 January 2015)

Year	No. of cases decided	No. of cases decided in favour of the Bureau	Conviction Rate	No. of cases in which accused punished with imprisonment also	Nature of imprisonment, as per the Orders of the Honble Court(s)
2011-12	100	95	95%	07	In all the seven cases, imprisonment till rising of the court.
2012-13	72	69	95.10%	02	In both the cases, imprisonment till rising of the court.
2013-14	42	42	100%	--	--
2014-15 (upto 31 Jan 2015	12	12	100%	01	Imprisonment till rising of the court.

ANNEXURE-VII

MINUTES OF THE TWELFTH SITTING OF THE STANDING COMMITTEE ON FOOD, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION (2014-15) HELD ON TUESDAY, THE 7th APRIL, 2015

The Committee sat from 1030 hrs. to 1140 hrs. in Committee Room 'D', Ground Floor, Parliament House Annexe, New Delhi.

PRESENT

Shri J.C. Divakar Reddy, MP - Chairperson

MEMBERS

Lok Sabha

2. Shri Anto Antony
3. Shri Dinesh Kashyap
4. Shri Dharmendra Kumar
5. Shri Ravinder Kushawaha
6. Dr. Sakshi Maharaj
7. Shri R.K. Bharathi Mohan
8. Shri Sunil Kumar Mondal
9. Shri Ram Chander Paswan
10. Shri C.S. Putta Raju
11. Smt Priyanka Singh Rawat
12. Shri P.V. Midhun Reddy
13. Shri Bhola Singh
14. Shri Brij Bhusan Sharan Singh

Rajya Sabha

15. Shri Ritabrata Banerjee
16. Dr. Bhushan Lal Jangde
17. Dr. K. Keshava Rao

SECRETARIAT

1. Shri P.K. Misra - Additional Secretary
2. Shri A.K. Shah - Director
3. Shri Lovekesh Kumar Sharma - Additional Director
4. Shri Khakhai Zou - Under Secretary

The Representatives of the Department of Consumer Affairs (Ministry of Consumer Affairs, Food and Public Distribution)

1. Shri Keshav Desiraju, Secretary
2. Smt. Chandralekha Malviya, Principal Advisor
3. Shri G. Gurucharan, Additional Secretary
4. Shri Prabhas Kumar Jha, Additional Secretary & Financial Advisor
5. Shri Manoj Kumar Parida, Joint Secretary
6. Shri M.J.Joseph, Director General (BIS)
7. Smt. Sneh Bhatla, Deputy Director General (BIS)
8. Shri Gautam Ghosh, Deputy Director General, NIC
9. Shri B.N.Dixit, Director

2. At the outset, the Chairperson welcomed the Members of the Committee and apprised them that the sitting had been convened to take oral evidence of the representatives of Department of Consumer Affairs (Ministry of Consumer Affairs, Food and Public Distribution) in connection with the examination of Demands for Grants (2015-16).

[Witnesses were then called in]

3. The Chairperson then welcomed the representatives of the Department of Consumer Affairs (Ministry of Consumer Affairs, Food and Public Distribution) to the sitting and apprised them about the Direction 55 (1) of the Directions by the Speaker regarding confidentiality of the proceedings. Thereafter, the Secretary, Department of Consumer Affairs deposed before the Committee outlining various issues which, inter-alia, include steep reduction of Plan outlay during 2015-16, need for higher funds for consumer awareness in rural areas, etc. Thereafter, a representative of the Department of Consumer Affairs made a power-point presentation showing different aspects relating to Plan and Non-plan components. During the course of evidence, various issues raised by the Members were responded to by the witnesses.

[Witnesses then withdrew]

4. The Committee also decided to undertake an on the spot study visit to Leh during the month of May, 2015 to have detailed discussion with the representatives of the State Government/PSUs on the subjects selected by the Committee for examination during the year 2014-15.

The Committee then adjourned.

A verbatim record of the proceedings has been kept.

ANNEXURE-VIII

MINUTES OF THE THIRTEENTH SITTING OF THE STANDING COMMITTEE ON FOOD, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION (2014-15) HELD ON FRIDAY, 17 APRIL, 2015

The Committee sat from 1100 hrs. to 1215 hrs. in Committee Room No. '53', First Floor, Parliament House, New Delhi.

PRESENT

Shri J.C. Divakar Reddy - Chairperson

Members

Lok Sabha

2. Shri Babu Lal Choudhary
3. Shri Dharmendra Kumar
4. Shri Ravinder Kushawaha
5. Dr. Sakshi Maharaj
6. Shri Sunil Kumar Mondal
7. Shri Ram Chander Paswan
8. Shri Bhola Singh
9. Shri Brij Bhusan Sharan Singh

Rajya Sabha

10. Shri Ritabrata Banerjee
11. Shri Shadi Lal Batra
12. Dr. Bhushan Lal Jangde

SECRETARIAT

1. Shri P.K.Misra - Additional Secretary
2. Shri A.K.Shah - Director
3. Shri Lovekesh Kumar Sharma - Additional Director
4. Shri Khakhai Zou - Under Secretary

2. At the outset, Hon'ble Chairperson welcomed the Members to the sitting of the Committee convened for consideration and adoption of the Draft Reports on Demands for Grants (2015-16) relating to the (i) Department of Food and Public Distribution, and (ii) Department of Consumer Affairs under the Ministry of Consumer Affairs, Food and Public Distribution.

3. Thereafter the Committee took up for consideration the Draft Reports one by one. The Committee adopted xxx xxx xxx xxx the Draft Report on Demands for Grants (2015-16) of Department of Consumer Affairs without any change.

4. The Committee then authorized the Chairperson to finalize the aforesaid Draft Reports in the light of factual verifications from concerned Departments and present the same to Parliament in the current Session of Parliament.

The Committee then adjourned.